

PROSKAUER ROSE LLP  
Lawrence I. Weinstein  
Michael Mervis  
John D. Roesser  
1585 Broadway  
New York, New York 10036  
(212) 969-3000  
*Attorneys for Defendant*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
HERBERT H. KLIEGERMAN, on behalf of himself:  
and others similarly situated, :

Plaintiff, :

-against- :

APPLE, INC., :

Defendant. :

07 Civ. No. 8404 (PKC)

**NOTICE OF FILING OF NOTICE  
OF REMOVAL**

New York Supreme Court, County of  
New York Index No. 111681/07

----- x  
TO: Clerk of Court  
Supreme Court of New York  
County of New York

Randall S. Newman, Esq.  
Randall S. Newman, P.C.  
80 Wall Street, Suite 815  
New York, New York 10055  
(212) 797-3737  
Attorney for Plaintiff

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PLEASE TAKE NOTICE that the within is a true copy of the Notice of Removal  
filed in the United States District Court for the Southern District of New York on September 27,  
2007.

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. §§ 1441 and 1446, the filing of said Notice of Removal in the United States District Court, together with the filing of a copy of said Notice with this Court, effects the removal of the above-captioned action.

Dated: New York, New York  
September 27, 2007

PROSKAUER ROSE LLP

By: 

Lawrence I. Weinstein

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John D. Roesser

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